

REMARKS

Claims 1-20 are all the claims pending in the application. Claim 20 has been newly added herewith.

Priority

A certified copy of the priority document for the present application was submitted on September 26, 2003. Applicant respectfully requests that the Examiner acknowledge Applicant's claim to priority and that a certified copy of the priority document has been received.

Claim Objections

Claim 7 stands objected to because of an informality. Applicant has amended claim 7 in a manner believed to overcome the objection.

Claim Rejections - 35 U.S.C. § 102

Claims 1-5 and 10-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the prior art in Applicant's application on pages 1 and 2 and Fig. 1A and 1B (hereinafter referred to as the "APA"). Applicant respectfully traverses.

Claim 1 recites an IC chip and an antenna electrically connected to the IC chip. Claim 1 also recites that the antenna is spaced apart from the IC chip. In contrast to the claimed invention, the antenna 100b of the APA (Fig. 1A of the present application) is not spaced apart from the IC chip 100c. Instead, in the APA, the loop antenna 100b and the IC chip 100c are in direct contact. Accordingly, Applicant submits that claim 1 is allowable over the APA at least because the APA lacks an antenna spaced apart from an IC chip as claimed.

Claims 2-5 and 10-14 depend from claim 1 and are therefore allowable at least by virtue of their dependency. Furthermore, at least some of the claims are allowable for additional reasons. For example, claims 4 and 5 are further allowable over the APA at least because the APA lacks an antenna printed on a surface of the cartridge case as claimed.

The Examiner asserts that the claimed antenna printed on a case is a product by process limitation which should not be given any weight. The Examiner also notes that the patentability of the claims are determined by the product, and not the method of making the product (*see* page 3 of the Office Action). However, claims 4 and 5 recite that the “antenna is printed on a surface of said cartridge case.” This is a particular structure which the Examiner must address and which is absent in the APA. For example, in the non-limiting embodiment of the present invention shown in Fig. 3, antenna 9b is printed on the upper half 1B of the cartridge MC. In contrast, Figs. 1A and 1B (the APA) show an antenna 100b formed on a board 100a which is not part of the cartridge case. The structure of the APA is clearly not one in which the antenna is printed on the cartridge case and, thus, not the structure of the claimed invention. Therefore, claims 4 and 5 are further allowable at least because the APA lacks an antenna printed on a cartridge case as claimed.

Claim Rejections - 35 U.S.C. § 103

Claims 6-9 and 15-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable of the APA in view of Tanimura et al. (JP 10-214477 A). Claims 6-9 and 15-19 depend from claim 1. Even if the Examiner’s assertions regarding Tanimura were correct, the reference still would

not correct the above-noted deficiencies of the APA with respect to claim 1. Accordingly, claims 6-9 and 15-19 are allowable at least because of their dependency.

New Claims

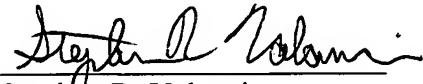
Applicant has added new claim 20 in order to claim more fully the invention. Claim 20 depends from claim 1 and is therefore allowable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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